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3 ATTORNEYS AT LAW  
3 222 Rush Landing Road  
4 P.O. Box 6169  
4 Novato, California 94948-6169  
(415) 898-1555

5 Attorneys for Plaintiff

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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10

11 OMAR BUCHANAN, } No. C09-01105 *PJH*  
12 Plaintiff, }  
13 vs. } STIPULATION TO DISMISS  
14 ASBESTOS DEFENDANTS (BP), et al., } DEFENDANT CROWN CORK & SEAL  
15 Defendants. } AND REMAND CASE TO SAN  
FRANCISCO SUPERIOR COURT

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17 Come now Plaintiff OMAR BUCHANAN ("Plaintiff") and Defendant CROWN CORK  
18 AND SEAL COMPANY INC. ("CC&S"), who file the following stipulation pursuant to Local  
19 Rules 7-1 and 7-12:

20 WHEREAS, defendant CC&S removed this case to the United State District Court for  
21 the Northern District of California on March 13, 2009, on the ground that the court has "federal  
22 officer" subject matter jurisdiction under 28 United States Code § 1442(a) based on Plaintiff  
23 allegations that his injury was caused by products designed and manufactured by CC&S under  
24 the supervision and control of the United States government;

25 WHEREAS, Defendant CC&S was the sole removing defendant and no other defendant  
26 joined in removal or filed a separate notice of removal;

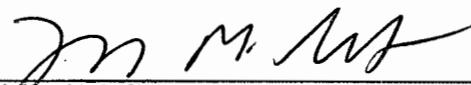
27 WHEREAS, Plaintiff and Defendant CC&S, the affected parties, have now reached a  
28 resolution of Plaintiff' claims against CC&S;

1 WHEREAS, Defendant CC&S's desire for a federal forum for this action is now moot  
2 and given the resolution of Plaintiff' claims against it; and

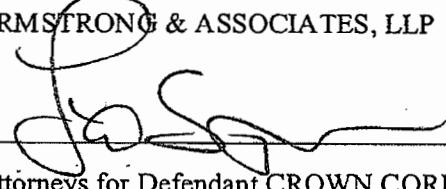
3 WHEREAS, pursuant to the parties' resolution, Plaintiff and Defendant CC&S seek to  
4 have this action remanded to state court, IT IS HEREBY STIPULATED by the affected parties,  
5 Plaintiff and Defendant CC&S, that all claims against Defendant CC&S shall be, and hereby  
6 are, dismissed with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure and  
7 that this action shall be, and hereby is, immediately remanded to the San Francisco County  
8 Superior Court, the court in which it was originally filed and from which it was removed.

9 Dated: March 18, 2009

BRAYTON ♦ PURCELL LLP

10  
11 By:   
12 Richard M. Grant  
13 Attorneys for Plaintiff

14 Dated: March 18, 2009

15 ARMSTRONG & ASSOCIATES, LLP  
16  
17 By:   
18 Attorneys for Defendant CROWN CORK &  
19 SEAL

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** Case is REMANDED to the  
21 Superior Court of California, County of San Francisco, Case No 274585. The Clerk shall send  
22 a certified copy of this Order to the Clerk of the Court for the Superior Court of California,  
23 County of San Francisco.

24  
25 Dated: March 23, 2009 By:

26 UNITED STATES DISTRICT COURT  
27  
28



**PROOF OF SERVICE**

I am employed in the County of Marin, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 222 Rush Landing Road, Novato, California 94948-6169.

On March 19, 2009, I served the attached:

**STIPULATION TO DISMISS DEFENDANT CROWN CORK AND SEAL AND  
REMAND CASE TO SAN FRANCISCO SUPERIOR COURT**

on the interested parties in this action by transmitting a true copy thereof in a sealed envelope, and each envelope addressed as follows:

**TO ALL PARTIES ON THE ATTACHE SERVICE LIST**

XXX BY OFFICE MAILING: I am readily familiar with this office's practice of collection and processing correspondence, pleadings and other matters for mailing with the United States Postal Service on that same day with postage thereon fully prepaid at Novato, California in the ordinary course of business. I placed in the outgoing office mail, the above-described document(s), in a sealed envelope, addressed to the party(ies) as stated above, for collection and processing for mailing the same day in accordance with ordinary office practices.

Executed this March 19, 2009 at Novato, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

JANE A. EHNI

Omar Buchanan v. Asbestos Defs.  
U.S.D.C. No. C9-1105 PJH

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Matter Number: 102239.001 - Omar Buchanan

Run By : Ehni, Jane (JAE)

**Adams Nye Trapani Becht LLP**  
 222 Kearny Street, Seventh Floor  
 San Francisco, CA 94108  
 415-982-8955 415-982-2042 (fax)

**Defendants:**  
 Taylor Plumbing Supply Company  
 (TAYPLB)

**Armstrong & Associates, LLP**  
 One Kaiser Plaza, Suite 625  
 Oakland, CA 94612  
 510-433-1830 510-433-1836 (fax)  
**Defendants:**  
 Crown Cork & Seal Company, Inc.  
 (CC&S)

**Bassi, Edlin, Huie & Blum LLP**  
 351 California Street, Suite 200  
 San Francisco, CA 94104  
 415-397-9006 415-397-1339 (fax)  
**Defendants:**  
 J.T. Thorpe & Son, Inc. (THORPE)

**Berry & Berry**  
 P.O. Box 16070  
 2930 Lakeshore Avenue  
 Oakland, CA 94610  
 510-835-8330 510-835-5117 (fax)

**Defendants:**  
 Berry & Berry (B&B)

**Bowman and Brooke LLP**  
 879 West 190<sup>th</sup> Street  
 Suite 700  
 Gardena, CA 90248-4227  
 310-768-3068 310-719-1019 (fax)  
**Defendants:**  
 Ford Motor Company (FORD)  
 General Motors Corporation (GM)

**Brydon Hugo & Parker**  
 135 Main Street, 20<sup>th</sup> Floor  
 San Francisco, CA 94105  
 415-808-0300 415-808-0333 (fax)  
**Defendants:**  
 Foster Wheeler LLC (FKA Foster Wheeler  
 Corporation) (FOSTER)  
 Nibco Inc. (NIBCO)

**Foley & Mansfield PLLP**  
 1111 Broadway, 10<sup>th</sup> Floor  
 Oakland, CA 94607  
 510-590-9500 510-590-9595 (fax)  
**Defendants:**  
 Calaveras Asbestos, Ltd. (CALASB)  
 Lindstrom & King Co. Inc. (LINKIN)  
 Special Electric Company, Inc. (SECINC)

**Futterman & Dupree LLP**  
 160 Sansome Street  
 17<sup>th</sup> Floor  
 San Francisco, CA 94104  
 415-399-3840 415-399-3838 (fax)  
**Defendants:**  
 Colonial Sugar Refining Company (CSR)

**Gordon & Rees LLP**  
 101 West Broadway  
 Suite 2000  
 San Diego, CA 92101  
 619-696-6700 619-696-7124 (fax)  
**Defendants:**  
 N.H. Sjoberg & Son (NHSJOB)

**Gordon & Rees LLP**  
 Embarcadero Center West  
 275 Battery Street, 20<sup>th</sup> Floor  
 San Francisco, CA 94111  
 415-986-5900 415-986-8054 (fax)  
**Defendants:**  
 Goodyear Tire & Rubber Company, The  
 (GOODYR)  
 Ingersoll-Rand Company (INGRSL)

**Hassard Bonnington LLP**  
 Two Embarcadero Center  
 Suite 1800  
 San Francisco, CA 94111  
 415-288-9800 415-288-9802 (fax)  
**Defendants:**  
 Sequoia Ventures Inc. (SEQUOA)

**Howard Rome Martin & Ridley**  
 1775 Woodside Road, Suite 200  
 Redwood City, CA 94061  
 650-365-7715 650-364-5297 (fax)  
**Defendants:**  
 IMO Industries, Inc. (IMOIND)

**Imai, Tadlock, Keeney & Cordery, LLP**  
 100 Bush Street, Suite 1300  
 San Francisco, CA 94104  
 415-675-7000 415-675-7008 (fax)  
**Defendants:**  
 American International Supply, Inc.  
 (AMRINT)

**K & L Gates LLP**  
 Four Embarcadero Center  
 Suite 1200  
 San Francisco, CA 94111  
 415-882-8200 415-882-8220 (fax)  
**Defendants:**  
 Crane Co. (CRANCO)

**Knox Ricksen LLP**  
 1300 Clay Street, Suite 500  
 Oakland, CA 94612-1427  
 510-285-2500 510-285-2505 (fax)  
**Defendants:**  
 Allis-Chalmers Corporation Product  
 Liability Trust (ALLIS)

**Law Offices of Glaspy & Glaspy**  
 One Walnut Creek Center  
 100 Pringle Avenue, Suite 750  
 Walnut Creek, CA 94596  
 925-947-1300 925-947-1594 (fax)  
**Defendants:**  
 Garlock Sealing Technologies, LLC  
 (GARLCK)

**Law Offices of Nancy E. Hudgins**  
 565 Commercial, 4<sup>th</sup> Floor  
 San Francisco, CA 94111  
 415-979-0100 415-979-0747 (fax)  
**Defendants:**  
 Uniroyal Holding, Inc. (UNIROY)

**Lewis Brisbois Bisgaard & Smith LLP**  
 221 North Figueroa Street  
 Suite 1200  
 Los Angeles, CA 90012  
 213-250-1800 213-580-7942 (fax)  
**Defendants:**  
 Advocate Mines, Ltd. (ADVMIN)

**Lewis Brisbois Bisgaard & Smith LLP**  
 One Sansome Street  
 Suite 1400  
 San Francisco, CA 94104  
 415-362-2580 415-434-0882 (fax)  
**Defendants:**  
 Plant Insulation Company (PLANT)

**Low, Ball & Lynch**  
 505 Montgomery Street, 7<sup>th</sup> Floor  
 San Francisco, CA 94111-2584  
 415-981-6630 415-982-1634 (fax)  
**Defendants:**  
 Groeniger & Company (GROEN)

**Manatt, Phelps & Phillips, LLP**  
 One Embarcadero  
 30<sup>th</sup> Floor  
 San Francisco, CA 94111  
 415-291-7400 415-291-7638 (fax)  
**Defendants:**  
 Ashby Plumbing and Heating Supply  
 (ASHPLU)  
 Westburne Supply, Inc. (WESSUP)

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**Morgan, Lewis & Bockius LLP**

One Market, Spear Tower  
 San Francisco, CA 94105  
 415-442-1000 415-442-1001 (fax)

**Defendants:**

Grinnell Corporation (GRINN)  
 Yarway Corporation (YARWAY)

**Perkins Coie LLP**

Four Embarcadero Center, Suite 2400  
 San Francisco, CA 94111  
 415-344-7000 415-344-7288 (fax)

**Defendants:**

Honeywell International, Inc. (HONEYW)

**Pond North, LLP**

350 South Grand Avenue, Suite 2850  
 Los Angeles, CA 90071  
 213-617-6170 213-623-3594 (fax)

**Defendants:**

Famili Corporation (FAMILI)  
 Famili Northwest, Inc. (FAMNW)  
 Keenan Properties, Inc. (KEENAN)  
 Viacom, Inc. (VIACOM)

**Schiff Hardin LLP**

One Market Plaza  
 Spear Street Tower, 32<sup>nd</sup> Floor  
 San Francisco, CA 94105  
 415-901-8700 415-901-8701 (fax)

**Defendants:**

Owens-Illinois, Inc. (OI)

**Selman Breitman LLP**

33 New Montgomery  
 6<sup>th</sup> floor  
 San Francisco, CA 94105  
 415-979-0400 415-979-2099 (fax)

**Defendants:**

Controlco (CNTRLCO)  
 Douglass Insulation Company, Inc.  
 (DOUGLS)

**Sonnenschein Nath & Rosenthal, LLP**

525 Market Street, 26<sup>th</sup> Floor  
 San Francisco, CA 94105-2708  
 415-882-5000 415-882-0300 (fax)

**Defendants:**

Rapid-American Corporation (RAPID)

**Walsworth, Franklin, Bevins & McCall**

601 Montgomery Street, 9<sup>th</sup> Floor  
 San Francisco, CA 94111  
 415-781-7072 415-391-6258 (fax)

**Defendants:**

SVI Corporation (SVICOR)  
 Thomas Dee Engineering Co., Inc. (DEE)

**Wilson, Elser, Moskowitz, Edelman &**

Dicker LLP

525 Market Street, 17<sup>th</sup> Floor

San Francisco, CA 94105-2725

415-433-0990 415-434-1370 (fax)

**Defendants:**

A.H. Voss Company (AHVOSS)  
 Asbestos Corporation Limited (ASBLTD)